

United States Court of Appeals For the First Circuit

No. 13-2308

FREDERIC P. ZOTOS,

Plaintiff, Appellant,

v.

TOWN OF HINGHAM; LAURA M. BURNS, individually and as a member of the Town of Hingham Board of Selectmen and as former acting Police Commissioner, Town of Hingham; JOHN M. RILEY, individually and as a member of the Town of Hingham Board of Selectmen and as acting Police Commissioner, Town of Hingham; L. BRUCE RABUFFO, individually and as a member of the Town of Hingham Board of Selectmen and as acting Police Commissioner, Town of Hingham; TED C. ALEXIADES, individually and as Town Administrator, Town of Hingham; KEVIN E. PAICOS, individually and as former Town Administrator, Town of Hingham; HARRY SYLVESTER, individually and as Superintendent, Town of Hingham, Department of Public Works, member of the Traffic Committee, Town of Hingham Board of Selectmen; TAYLOR A. B. MILLS, individually and as former Chief of Police, Town of Hingham, Police Department, former Chairman of the Traffic Committee, Town of Hingham Board of Selectmen; DAVID HORTE, individually and as Sergeant, Town of Hingham, Police Department, former Sergeant, Traffic Safety Division, Town of Hingham, Police Department, former member of the Traffic Committee, Town of Hingham Board of Selectmen; STEVEN J. DEARTH, individually and as Sergeant, Traffic Safety Division, Town of Hingham, Police Department, member of the Traffic Committee, Town of Hingham Board of Selectmen; JEREMIAH SULLIVAN, individually and as Officer and Patrolman, Town of Hingham, Police Department; ERIC S. CHESSLER, individually and as Officer and Patrolman, Town of Hingham, Police Department,

Defendants, Appellees.

Before

Torruella, Thompson and Kayatta,
Circuit Judges.

JUDGMENT

Entered: February 18, 2015

Appellant Frederic P. Zotos appeals from the district court's Federal Rule of Civil Procedure 12(b)(6) dismissal of the underlying action, which featured federal due process claims brought via 42 U.S.C. § 1983 and various state law claims. We have reviewed the decision of the district court de novo. See Morales-Tanon v. Puerto Rico Elec. Power Auth., 524 F.3d 15, 18 (1st Cir. 2008) (standard of review). For substantially the same reasons set out by the district court, we conclude that dismissal pursuant to Rule 12(b)(6) was appropriate. Accordingly, the judgment of the district court is **AFFIRMED**.

By the Court:

/s/ Margaret Carter, Clerk

cc: Frederic P. Zotos
Joseph A. Padolsky
Andrew J. Gambaccini